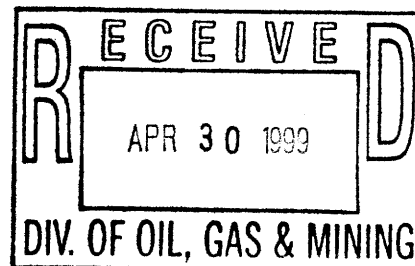




Willow Creek Mine  
847 Northwest Highway 191  
Helper, Utah 84526  
(435) 472-0475  
Fax: (435) 472-4780

April 30, 1999

Mr. Joe Helfrich  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, STE 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801



RE: Permit Modification for As-Built, Cyprus Plateau Mining Corporation, Willow Creek Mine, ACT/007/038-98G, Carbon County, Utah

Dear Mr. Helfrich:

#2

Copy Joe

Cyprus Plateau Mining Corporation (CPMC) is herewith submitting the aforementioned. CPMC appreciates the Division's patience and understanding with this onerous undertaking.

CPMC has reviewed the approved Willow Creek Permit in an effort to identify inconsistencies in the approved plan with existing conditions following the construction of the Willow Creek Mine.

This submittal attempts to clarify and update the Willow Creek Mine Permit as it pertains to the Willow Creek Mine surface facilities area. CPMC incorporated the Barn Canyon shaft facility into this submittal for ease of incorporation when approved.

CPMC did not update the reclamation plan at this time as agreed upon during our April 8, 1999, meeting. CPMC and the Division came to an understanding that the reclamation plan needs to be revised and that it should occur after this portion of the permit update is finalized. With this in mind, only minor changes to the reclamation plan were performed to reference the Barn Canyon Shaft.

This submittal identifies the Disturbed Area Boundary (DAB) for the entire Willow Creek Mine including the Preparation Plant and Loadout, Gravel Canyon, Crandall Canyon, and Barn Canyon Shaft. Acreages for each area are as follows: 1) Willow Creek Mine surface facilities area (53.23 ac.), 2) Former Castle Gate Preparation Plant and Loadout area (82.14 ac.), 3) Gravel Canyon area (5.74 ac.), 4) Crandall Canyon area (18.10 ac.), and 5) Barn Canyon Shaft Facility and access road area (2.34 ac.).

The existing disturbed area boundary for the Willow Creek Mine surface facilities is 2.57 acres less than originally permitted (55.8 ac.). However, when the Willow Creek Mine increased the disturbed area boundary surrounding the preparation plant, it increased the disturbed area boundary in this area by 8.14 acres; much of it in the vicinity of the clean coal stockpile and raw water pond areas.

The soils information provided is based a lot on the information prepared by Ben Grimes while

Mr. Joe Helfrich  
April 30, 1999  
Page 2

he was contracted to assist with the initial as-built submittal last September. Therefore, CPMC had to rely on his knowledge of what occurred at the Willow Creek Mine while employed by CPMC as Willow Creek's Environmental Engineer. If the Division's staff has any additional information that could be used to augment or substantiate the soils information, CPMC would greatly appreciate any soils related documentation.

Furthermore, any information or clarification that the Division can provide relating to all areas of discipline would be welcomed, so that the knowledge gap can be closed. CPMC has made their best attempt based on their knowledge and available resources.

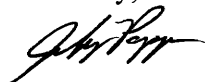
CPMC tried to cleanup the plan by: 1) minimizing the redundant verbiage whenever referencing the appropriate section(s) applied; 2) placing ownership and control information into an exhibit for ease in updating; 3) removing proposed building designs, small size reference maps, permit chronology section, commitments not regulatory driven, and exhibit 12 because of its inconsistencies and redundancy; 4) updating 28 maps; 5) providing as-built sediment pond drawings; 6) providing maps that are user friendly; 7) correcting water monitoring location, schedule, and parameter tables; and 8) revising Exhibit 13 to depict existing construction conditions and verifying that all diversion and siltation structures will convey and treat the minimum regulatory required design event.

With respect to sediment pond as-builts, Ponds 12A and 12B need some additional surveying and will be submitted in the very near future along with the appropriate text changes.

CPMC did not update its projected production rates because it is still developing new mine plans following the November 25, 1998, mine fire. Additionally, very little was mentioned about the K-Seam dewatering project because CPMC is still evaluating its treatment and discharge options, and will need the Division of Water Quality's approval and subsequent Individual Discharge Permit. Once the Individual Discharge Permit is issued, CPMC will design the system and submit it to the Division of Water Quality and the Division for their appropriate review and approval prior to any construction.

As stated above, CPMC welcomes the Division's input on the attached submittal, so that it can have a consistent and accurate Plan. If you have any questions, please do not hesitate to contact me at (435) 472-4741 or Ms. Vicky Miller at (435) 472-0884..

Sincerely,



Johnny Pappas  
Sr. Environmental Engineer

Attachments

## APPLICATION FOR PERMIT PROCESSING

Permit Change <input checked="" type="checkbox"/>	New Permit <input type="checkbox"/>	Renewal <input type="checkbox"/>	Transfer <input type="checkbox"/>	Exploration <input type="checkbox"/>	Bond Release <input type="checkbox"/>	Permit Number: ACT/007/038
Title of Proposal: Update Willow Creek Mine Permit following construction of mine site						Mine: Willow Creek Mine
						Permittee: Cyprus Plateau Mining Corp.

Description, include reason for application and timing required to implement:

Revise permit to reflect existing conditions

**Instructions:** If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres. Disturbed Area? 2.56 acres <input type="checkbox"/> increase <input checked="" type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

**Attach 3 complete copies of the application.**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

Johnny Pappas - Sr. Engr. - 4/29/99  
 Signed - Name - Position - Date

Subscribed and sworn to before me this 29 day of April, 19 99.

Kimberly Coleman  
 Notary Public

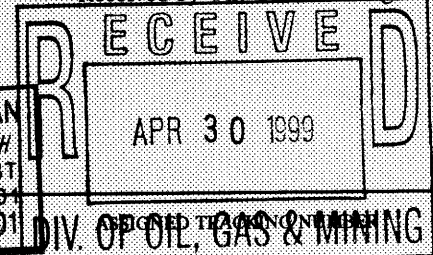
My Commission Expires:  
 Attest: STATE OF  
 COUNTY OF

Feb. 24, 2001  
Carbon Utah



KIMBERLY COLEMAN  
 NOTARY PUBLIC - STATE OF UTAH  
 141 SOUTH 500 EAST  
 PRICE, UTAH 84604  
 COMM. EXP 2-24-2001

Received by Oil, Gas &amp; Mining



## Application for Permit Change

### Detailed Schedule of Changes to the Permit

Title of Change: Update Willow Creek Mine Permit following construction of the mine site. ACT/007/038-98G

Permit Number: ACT/007/038

Mine: Willow Creek Mine

Permittee: Cyprus Plateau Mining Corp.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. Include page, section and drawing numbers as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 1.0, Pages 1, 3 thru 12
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 2.0, Page 1
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 2.1, Pages 1 thru 19
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.1, Pages 1 thru 9, 14, 27 thru 29, 31 thru 34
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.2, Pages 4 thru 8, 10, 16, 27, 29 and 30
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.1, Pages 1 thru 6, 18 thru 24, 27, 33, 37, and 38
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.4, Pages 1 thru 11
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.5, Pages 1 thru 3
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.6, Pages 9 thru 15
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 3.7, Pages 1 through 9, 11, 24, 26, 27, 29, 31, 32, 43, 52, 89 through 94 and 96 through 98,
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 4.2, Pages 1 through 10
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 4.3, Pages 1 through 9, and 12 through 16
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 4.4, Pages 1 through 5
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 4.5, Pages 1 through 15, 17 through 19, 24, 27, 28 through 31, 33 through 38, 40 through 61, 63, 65 through 70, 74, and 76 through 78
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 4.7, Pages 6 through 12, 16, 20 through 32, 36, and 37, Tables 4.7-1, 4.7-2, 4.7-4.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 5.2, Pages 1 through 3
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 5.3, Pages 1 and 13
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 5.4, Pages 1 through 18
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Section 5.5, Pages 1 through 4
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Exhibit 22 - Shot pattern diagram - replace existing drawing
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Exhibit 21 - Legal data - replace existing ownership data
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Exhibit 13 - Drainage and Sediment Control
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Exhibit 5 - Barn Canyon Soil Logs
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Exhibit 4 - Air Quality Approval Order

April 30, 1999

## Application for Permit Change

### Detailed Schedule of Changes to the Permit

**Title of Change:** Update Willow Creek Mine Permit following construction of the mine site. ACT/007/038-98G

**Permit Number:** ACT/007/038

**Mine:** Willow Creek Mine

**Permittee:** Cyprus Plateau Mining Corp.

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			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Maps 1, 2, 3, 4, 5, 6, 7 8, 9, 10, 11, 12, 15, 16A, 16B, 16C, 16D,, 17, 18A, 18B, 23A, 23B, 23C, 23D, 23E, 24, 25 ,and 31A.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Figure3.1-1 and 3.2-1
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Exhibit 12
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	All small drawings in Volume 1, used as reference maps
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Sections 2.3 and 2.4
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Maps 16, 27, 28, and 29
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Figures 4.5-13A, 13B, 13C, 14A, 14B, 15 and 16
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

April 30, 1999